

JAP:DKK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**15M 877**

- - - - - X

UNITED STATES OF AMERICA

- against -

PRE-ARRAIGNMENT  
COMPLAINT

AZUBUIKE OKAFOR,

(21 U.S.C. §§ 952(a) and 960)

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

ANDREW KAPPAUF, being duly sworn, deposes and states that he is a  
Special Agent with the Department of Homeland Security, Homeland Security  
Investigations, duly appointed according to law and acting as such.

On or about September 11, 2015, within the Eastern District of New York and  
elsewhere, the defendant AZUBUIKE OKAFOR did knowingly, intentionally and  
unlawfully import into the United States from a place outside thereof, heroin, a Schedule I  
controlled substance.

(Title 21, United States Code, Sections 952(a) and 960)

The source of your deponent's information and the grounds for his belief are  
as follows:<sup>1</sup>

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish  
probable cause to arrest, I have not described all the relevant facts and circumstances of  
which I am aware.

1. On or about September 11, 2015, the defendant AZUBUIKE OKAFOR arrived at John F. Kennedy International Airport (“JFK”) in Queens, New York aboard British Airways flight number 113 from Lagos, Nigeria through London, United Kingdom.

2. A Customs and Border Protection (“CBP”) Officer selected the defendant AZUBUIKE OKAFOR for a border enforcement examination.

3. A baggage examination was completed, which yielded negative results. Upon further questioning by a CBP officer, the defendant AZUBUIKE OKAFOR stated, in sum and substance, that he had swallowed foreign objects.


4. The defendant AZUBUIKE OKAFOR signed an x-ray consent form. An x-ray was then taken of the defendant’s intestinal tract, which was positive for foreign objects.

5. The defendant AZUBUIKE OKAFOR was then transported to the medical facility at JFK. At the medical facility, the defendant passed 5 pellets, one of which field-tested positive for the presence of heroin. The defendant was then placed under arrest.

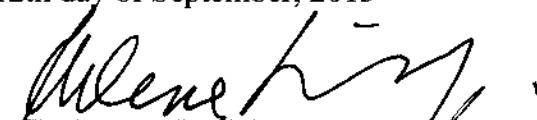
6. The defendant AZUBUIKE OKAFOR was read his Miranda rights by HSI and agreed to speak with law enforcement agents without an attorney. He stated, in sum and substance, that he had swallowed approximately 59 pellets, that he knew the pellets he had swallowed contained heroin, and that he was supposed to be paid approximately \$7,000 for bringing those pellets to the United States.

7. The defendant AZUBUIKE OKAFOR will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully request that the defendant  
AZUBUIKE OKAFOR be dealt with according to law.

  
\_\_\_\_\_  
ANDREW KAPPAUF  
Special Agent  
Homeland Security Investigations

Sworn to me before this  
12th day of September, 2015

  
\_\_\_\_\_  
THE HONORABLE ARLENE R. LINDSAY  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK